

EXHIBIT A

JURY TRIAL DEMANDED

6. In fact, Defendant Dougherty has been previously sued for precisely this pattern of conduct in St. Louis County.
7. At the time that Plaintiff Davis and Defendant Dougherty became involved, Plaintiff Davis had no reason to suspect Defendant Dougherty was attempting to deceive her into giving him money.
8. When they first met, Defendant Dougherty lavished praise and proclamations of love on Plaintiff Davis, laying the groundwork for a long-term scam.
9. On their initial dates, Dougherty applied pressure on Davis' sympathy toward him; he talked about his cold father and his time spent at the psychiatric hospital while sobbing over his drink at the bar next to Davis.
10. Around March of 2016 Defendant Dougherty, after knowing Davis for only a few months, asked Plaintiff Davis for money for the first time. Via Facebook messenger Dougherty indicated "...And beautiful I just got an electric bill for \$706 that's due on March 9th or my electricity will be disconnected." He further requested that she give him \$2,500 for backed taxes he owned. Dougherty followed up his messages with phone calls and in person conversations, wherein he marshalled assurances that the money would be returned to entice Davis to make this initial transfer.
11. After Davis complied, Dougherty's campaign intensified. He began to pair frequent, over the top adoration and praise of Davis with a two faced, intermittent and violent rage. In June of 2016, Dougherty became for the first time violent with Plaintiff Davis. Upon learning that his driver's license had been revoked, Dougherty became immediately incensed that Plaintiff Davis was

not around to help comfort him. In spite of the revocation, Dougherty drove to Davis' condo and became explosively angry, screaming at her and shoving on the landing outside of his condo. Scared, Davis complied with Dougherty's requests and began providing him rides while the license was revoked.

12. Dougherty's violent anger towards even insignificant apparent slights, large physical

stature, and obsession with firearms caused ongoing fear on behalf of Davis. Dougherty

in August of 2016 relayed to Davis that he had attacked an individual who he became upset with in an AT&T store. Dougherty used this and other incidents of violence to send a message to Davis that she had to comply with his demands, or else.

13. Any time Davis attempted to leave, Dougherty would prevent it. In September of 2016, when Davis first tried to leave Dougherty, she was met with ongoing messages and calls from Dougherty and another individual that purported to be his then lover.

14. After Dougherty succeeded in enticing Davis to reenter a romantic relationship with him through his characteristic mix of violent outbursts of aggression, threats, and lavish promises, he set his sights on convincing Davis to finance his college education.

15. After getting breakfast at First Watch at Davis' expense, Dougherty had a violent oral confrontation with a driver who presumably did not stop where she was supposed to. Dougherty kicked the driver's car as it passed him and Davis,

and when the driver got out, he called her a racial slur. Afterward, Dougherty blamed his outburst on his steroids.

16. Notwithstanding his incidental anger, Dougherty continued to profess to Davis that he loved her and wanted to be married.

17. In the summer of 2017, Dougherty was taking Trenbolone steroid to increase his body mass. In just a couple of weeks, Dougherty's body expanded, doubling the size of his arms, torso, and legs.

18. In spring of 2017, Dougherty drugged Davis' coffee with Adderall to keep her awake to help him with his homework. Dougherty masked the crushed Adderall taste by adding Baileys to the espresso and cream. Dougherty's friend Kerry Wood, whom Dougherty also drugged in a similar manner before, jokingly called Dougherty's drugging tendency a "Jeffrey Dahmer thing".

19. In the summer of 2017, Dougherty was taking Trenbolone steroid to increase his body mass. In just a couple of weeks, Dougherty's body expanded, doubling the size of his arms, torso, and legs.

20. At this time, Davis was reluctant to purchase the ring, but Dougherty insisted upon the same as a test of her financial resources. Dougherty also provided Davis with further promises relating to the supposed marriage, pursuing wedding dresses online as well as researching venues and the like. Dougherty even initiated the process of looking for a home where they could start their marriage.

21. Shortly before the purchase of the engagement ring, Dougherty started college again.

Based on the promised marriage, Dougherty was able to get Davis to pay all of

the

associated expenses with his college tuition, including paying fees not covered by the loans and covering incidental expenses. Dougherty made explicit promises while trying to convince Davis to fund the college that he would pay Davis back.

22. In August of 2017, when Davis was spending time with her then six-year-old nephew, Henry, Dougherty unexpectedly fell into a roid rage after he saw Davis and Henry getting ready to play in a bathtub after returning from a long walk in the summer heat. Davis changed into swimwear when Dougherty arrived. Dougherty suddenly exploded into a violent rage and accused Davis of abusing Henry, calling her “disgusting”. After Davis made Dougherty leave, Dougherty spammed Davis with texts and calls before he returned in a blind rage. He pounded on Davis’ front door while she and Henry hid in the basement, fearing for Dougherty’s outburst as he yelled that he would tell all of Davis’ neighbors that she was a “child-abuser”. After Davis called the police, Dougherty attempted to get Davis arrested but the officers told her that they “knew [Dougherty] was crazy”.

23. In 2018, Dougherty partook in intense preparation for a body building competition, Dougherty commenced a regular intake of steroids while staying on a keto diet and working out three times a day. He was frequently irritable and aggressive.

24. By December of 2018, Dougherty's pattern of exerting control over Davis was to the point where Dougherty was supported entirely at Davis' expense. Dougherty had no job, and no income with the sole exception of Davis. Dougherty through his threats of violence and menacing control over Davis even forced her to do his homework for the school. At one point Dougherty required Davis to work on his

homework and for her jobs to support him in excess of 36 straight hours without sleep - and then became upset when Davis declined to spend time with him to sleep. Any time Davis resisted, Dougherty would become explosively angry.

25. By April of 2019, Dougherty had begun trying to use his education to gain experience with an internship with the Air Force Civilian Service. When he was unable to gain the requisite clearance because of his criminal history, he entered into a deep depression, doubling the threats of killing himself. Davis would sit with him for hours, even late into the night, to ensure his safety. One instance occurred where EMS were called due to his threat of suicide. Upon arriving at the hospital, Dougherty demanded Davis not to sign the forms indicating his mental state. On the way home, in the car with Davis and roommate Mike Thompson, Dougherty became engaged and repeatedly punched the dashboard of Davis' car, leaving a large dent. For the remaining time that Dougherty knew Davis, he often leveraged threats of suicide and subsequent violent anger to extract ever increasing amounts of money from Davis. But the threats of suicide always carried with them the innuendo that he would take Davis, her family or other third parties like the police with them.

26. At this point, Davis no longer had an option to call for help to prevent, stop, or aid any future threat of suicide or ill-intention Dougherty aimed at himself without the fear for her and her family's safety. Instead, all Davis could do was comply with Dougherty's financial hunger.

27. Around this time Dougherty began drinking heavily, and his pattern of violence dramatically increased. On the way to Dougherty's family Christmas Eve gathering, he became angry with Davis and threw items at her while screaming, threatening her with physical harm. Dougherty damaged portions of the interior

of Davis car, slamming his hands into the dashboard and throwing beer all over the inside.

28. By the end of 2019, Dougherty's suicidal ideation suicidal became his regular routine.

29. In the remaining time that Dougherty knew Davis, he often leveraged threats of suicide and subsequent violent anger to extract ever increasing amounts of money from Davis. But the threats of suicide always carried with them the innuendo that he would take Davis, her family or other third parties like the police with them.

30. During this time, Dougherty also suffered from hallucinations and delusions of prosecutions, believing that the police was out to get him and actively looking for him. He would call Davis on the phone, whispering erratically while hiding in the closet that the police where at his home when, in reality, Dougherty was alone. At one point, while in the car with Davis, Dougherty stated to her the "aliens" told him that he could not trust Davis.

31. In fall of 2020, Dougherty videotaped himself having a sexual intercourse with Davis. In this instance, he shoved held the phone camera toward Davis' face but when she turned the phone back around, telling Dougherty that she did not want to be recorded, he continued to film only himself. Later, Dougherty stated that he had shown the video to at least one of his friends, Kerry Wood. When Davis later asked him to delete it, Dougherty lied about getting rid of the recording.

32. In September of 2020, Plaintiff Davis was working a total of three jobs to pay for Defendant Dougherty's spending addiction and credit card debt. She was working full time as a data analyst at NGA; and as a director of medical writing at Superior Medical Experts; all the while running her business at Sweet Hopes Bakery.

33. February 2020, Davis underwent a major abdominal surgery that lasted 6-7 hours. During this time, Dougherty did not wish to stay in the hospital with Davis and instead went shopping with his roommate, spending thousands of dollars on Davis' on her card. At this time, because Davis was undergoing treatment, she was not making her usual salary.

34. In February of 2020, a few weeks after Davis had a major abdominal surgery, Dougherty demanded that Davis buy a new car. When Davis refused, Dougherty pushed her extremely hard in the chest. This caused immense pain compounded by the recent surgery.

35. On February 12, 2020 after Davis' major abdominal surgery, she was informed by her doctor that she was positive for HPV. Aside from Dougherty, Davis had no other romantic partners. When confronted with this, Dougherty ignored Davis and instead stated "What about me? Aren't you worried that I will get throat cancer?"

36. A few weeks after Davis' surgery, Dougherty demanded that Davis buy a new car. When Davis refused, Dougherty pushed her extremely hard in the chest. This caused immense pain compounded by the recent surgery.

37. In May 2020, Dougherty told Davis that he beat up a husband of his then paramour Mary when attending a meeting to exchange a child between parents. He proudly told Plaintiff Davis that he knocked the ex-husband's teeth out and broke his nose. Later, Dougherty told Davis that he engaged in a sexual intercourse with Mary, got angry at her, and came to Davis for comfort. The following day, Dougherty made Davis drop off personal items to Mary in-person.

38. Dougherty convinced Davis to surrender her Xanax prescription and refills to

him, informing Davis that he required it more than she did

39. In June of 2020, Dougherty doubled his pressure by sending Davis pictures of women he met in-person or through dating apps, threatening to have sex with them if Davis did not comply with Dougherty's demands.
40. By July of 2020, Dougherty increased the amount of leverage on Davis exerted through his large collection of firearms. Following a heated discussion that month Dougherty brought Davis two firearms. He instructed Davis that they were to shoot each other together.
41. When Davis refused, Dougherty became incensed and fired one of the guns from the deck of his condo. As he had explained in later threats of suicide, Dougherty always intended that his purported suicide would cause collateral damage to Davis.
42. Two days later, Dougherty demanded that Davis pay for a \$2,500.00 certification bootcamp for him. When Davis refused, Dougherty indicated that he had determined to kill himself and subsequently refused to answer her phone calls and messages. He went to a bar and began to drink. Davis came to the bar in search of Dougherty, and Dougherty became explosively violent. Dougherty grabbed Davis and threw her to the ground, resulting in serious physical injury to her hands and legs. When Davis tried to stand up, Dougherty threw her to the ground again. Davis paid for the certification bootcamp.
43. Dougherty was charged with domestic violence after bystanders reported the conduct at the bar in late July 2020. But Dougherty leveraged further threats of violence, "suicide" and his increasing control of all of Davis' financial resources to

prevent her from following up with a victims advocate from the St. Louis County prosecuting attorney's office.

44. In one incident around this time, Dougherty became enraged, got out of his bed, and came over to where Davis was sitting, where he gripped both sides of her head - yelling that he wanted to put his fist through her face and so badly wanted to hurt her. He then called the police, reporting Davis had been violent toward him and wouldn't leave, which is patently false. Dougherty's outburst occurred only because Davis refused to sit next to him on the bed.

45. In August of 2020, Dougherty came to Davis' house and demanded that she pay the backed property taxes on his condominium, or else St. Louis County would foreclose on his property. Davis refused to do so, and Dougherty again exploded in a violent rage. He punched her patio furniture, impacting and breaking the tile top of a table as a threat to Davis for future non-compliance with his demands for money. Davis paid the property taxes.

46. On the same day, Dougherty also made Davis pay the Roseblum lawfirm to represent him in a domestic case. The taxes and Roseblum were paid on the same day.

47. Dougherty's threats and ever-increasing control of Davis financial life had by this time resulted in Dougherty having access to all of her financial accounts, including her credit card, bank accounts, and the like.

48. On and around 2021, Dougherty continued to strengthen his control over Davis by often openly expressing fantasies to her about his home being burglarized so that he could kill the perpetrator with the artillery of firearms he possessed, half of which

Davis purchased at Dougherty's request. Additionally, Dougherty fantasized about killing police officers with a spear he owned and "impaling" them like decorations.

49. Throughout the relationship, Dougherty forced Davis to watch YouTube videos for specific topics and themes involving violence and abuse against women. In these videos of "crazy bitches", Dougherty groomed Davis to be complicit with his violence toward her, accepting it as the normal. This persisted and increased in volume overtime.

50. Around January of '21, Dougherty began pressuring Davis and her mother to purchase him a \$1.45 million dollar property. Dougherty went so far as to set up a meeting between Davis entire extended family - including her sister, brother-in-law, niece, and nephew- to tour the property. Dougherty made an offer on the property to which Davis agreed under duress. Dougherty represented that the house was to be a marital property for Davis and him. Dougherty became obsessed with the property, and with buying equipment, tractors, four wheelers, and other equipment to be used on the same.

51. In mid-July of '21, Dougherty became enraged because Davis couldn't purchase the property, stating that Davis had one week to purchase the property or he would put down payments on two four-wheelers to enjoy before his determined date for suicide in October 2021. He also texted her that she "needed to take her next steps carefully."

52. Around this time, Davis was working 100 hours a week to make up for Dougherty's requests. She often skipped on showers in favor of sleep, only able to get around 3-4 hours of rest. Dougherty continued to demand that Davis spent time with him. In one instance, Davis had to purchase a Wi-Fi connection in her

car so she could take her work meetings while driving over to run errands and make food for Dougherty. The laptop that was positioned on her lap behind the wheel rubbed against the middle media center of her car, chipping its paint.

53. When Davis finally got a big paycheck, she was overjoyed because she realized she could pay off her credit card debts incurred from Dougherty's purchasing habits. When she submitted the payments, she received emails that they bounced back because Dougherty immediately used the paycheck to pay off his credit card debts instead. That night, while Davis made Dougherty reverse the payment, Dougherty blamed Davis for ruining his credit score.

54. Later in July of '21, Dougherty made a video call to Davis. At the beginning of the call, he repeated his demand that she purchase the property for him. When she again refused, he extended his phone above his head, changing the orientation to allow Davis to see the collection of guns that he laid out on his bed. Dougherty then drove out to St. Charles after drinking heavily. He told her that he hoped the St. Charles police would pull him over so that he could shoot at them and be killed in a "suicide by police" plot.

55. The same day, he took Davis credit card to a motor sports store in St. Charles and put a down payment on two four wheelers - one for him and one for Davis. He explained that the four wheelers were to be his "last joy" before he killed himself and set a date for the same in October.

56. Through August and September of '21, Dougherty's violence against Davis continued.

During August, he shook her, slamming her head into a wall. Then he threw her

down on the sofa, continuing to violently shake and scream at her while kneeling over her.

57. In September of '21, Dougherty engaged another realtor to make an offer on the 1.45 million dollar property he so fervently desired. When Davis refused and tried to leave Dougherty's condo, Dougherty first stood in front of the door in an attempt to prevent her from leaving. When he allowed her to leave, Dougherty slammed the door on her hand, leaving Davis' fingertips on the other side of the door. Dougherty then locked the deadbolt. The flesh was torn open, exposing tendons and underlying bone. One of the injured fingers was fractured. As a result, Davis had no option but to significantly cut back on her work - at the time in excess of 90 hours a week - because her employment required significant typing and she was relatively new to Johnson & Johnson and NGA to have the accessible leave. She tried to work the best that she could.

58. Davis refused to purchase the property, but Dougherty persisted. Over the course of 2021 and continuing into 2022, Dougherty's demands to purchase the property escalated. His anger at the continued refusals also grew.

59. Around April of '22, Dougherty again leveraged threats of "suicide" against Davis to try to get her to purchase the property. Such threats always implicitly carried the implication of harm to Davis or other third parties. In April, Dougherty told Davis that he was going to drive off the St. Charles bridge to kill himself as a result of her refusal. In his threats of suicide, he stated that he wished he could take Davis' mother with him. Dougherty by this point had reached a new level of emotional

abuse towards Davis, incessantly calling her derogatory names and spending freely all money that she made and a lot that she didn't. Davis was terrified to leave Dougherty because of his "suicide" threats. Dougherty became so enraged over the property, that he took Davis' laptop computer from her and punched and stomped on it, and thrashed it on furniture in his condo - completely destroying it.

60. Nevertheless, Dougherty continued to impress upon Davis his desire to marry her and have a relationship with her.

61. Dougherty managed to convince Davis to send him on vacation to Florida. She reserved a beachfront condo for him and Kerry Wood. While in Florida, Dougherty was always drunk and/or high, spending around \$2,300 in one night at a stripper club and totaling \$4000 on credit cards. When Dougherty returned, he brought a t-shirt to Davis as a souvenir.

62. Dougherty tended to forget Davis' birthday. One time, he asked for Davis to cook him dinner on her birthday, and when she reminded him of what day it was and refused to come over, Dougherty demanded that she take him out for dinner. When Davis again refused, Dougherty went out with Kerryi Wood instead and spent \$150 on Davis' credit card, never telling her what he spent it on.

63. In October of 2022, Dougherty decided to renovate his entire condo, starting from redoing the floors. He asked Davis for money but she initial refused, stating it was too expensive. Dougherty persisted to pressure Davis to purchase the new flooring. Davis purchased the flooring. Upon installation of approximately half of the flooring, Dougherty had it torn-up to first install underlayment to add warmth before reinstalling the flooring again which resulted in additional

expenses.

64. In December of 2022, and thereafter, Davis was mourning her mother who had just passed. Taking advantage of her state, Dougherty renovated his condo, purchasing extra boxes of flooring after Davis repeatedly refused.
65. In January of '23, Dougherty was scheduled to serve shock time in Jefferson County jail after he had become enraged and punched a visually impaired man. Prior to the day he was to report to jail, Dougherty became enraged with Davis because she didn't have the bandwidth to re-write a summary judgement for an employment case Dougherty is pursuing. Dougherty called Davis derogatory names and told her that he was glad her mother was dead and was rotting in hell. Davis' mother passed in December of '22.
66. On the day Dougherty was to report to jail, he did not show up, Davis became concerned and went over to his house to find him. Upon arriving, Dougherty became enraged and attacked Davis, throwing her into a wall, causing her to fall to the ground.
67. On or around March of '23, Davis was painting portions of the interior of her house in preparation for her nephew's birthday. She left the painted vanity doors on the floor in the family room, she asked Dougherty to close the door so that the breeze would not mess up the paint. When Dougherty failed to do so, Davis went to check on the doors. When she saw a plastic sheet blowing over the paint, ruining it, she stated "Oh no". Hearing her gasp, Dougherty suddenly exploded into a violent rage and left. At this point Davis reached her breaking point and collapsed to the floor, sobbing. Dougherty came back shortly and shoved a checkbook at Davis repeatedly,

demanding that she write him a big check to pay the contractor he had engaged to work on his condo.

68. On or around May of '23, Dougherty picked up the wedding ring from Davis' condominium, ostensibly to have it reappraised and cleaned. He took the ring and all associated paperwork and fled to Florida on May 26 of '23 - where he had started, yet again, a relationship with another woman, Kayla. He had apparently planned to live with her in preparation for their "marriage." This action is in stark contrast to his text message sent on May 23 of 2023, which stated "I am not moving to Florida with you."

69. On May 29, Davis discovered the full extent of the fraud. She attempted to shut down access to all financial accounts that Dougherty had access to. But Dougherty had backdoors set up for some, and continued spending her money even after changing passwords and instructing her financial institutions of the fraud attempt.

70. After Davis filed a restraining order against Dougherty, Dougherty began threatening and campaigning against Davis to prevent her from testifying in a forthcoming trial for the domestic violence incident at the bar in July '20. He also filed a spurious order of protection against Davis, also with the intention of preventing her from testifying at his forthcoming trial.

Count 1: Money Had and Received

COMES NOW Plaintiff, and for her claim of money had and received, states and alleges as follows:

71. Plaintiff adopts and restates all previous paragraphs as if they had been fully

set forth herein.

72. Defendant received and obtained possession of Plaintiff's money, including money from her bank accounts, credit accounts, personal property, and money contributed to the purchase and improvement of real property.

73. Defendant appreciated a benefit of the money received from Plaintiff in that he retained and applied the funds received to accounts he controlled and for the purchase of real and personal property.

74. Defendant retained the money received for his own benefit under unjust circumstances.

75. Pleadings alternatively or hypothetically pursuant to Mo. Rev. Stat. 509.110, Defendant was unjustly enriched by the funds received from Plaintiff Davis.

76. As a result of the aforementioned, Plaintiff has suffered significant damages, including the complete denial of control and access to funds exceeding \$300,000.00. Plaintiff has further suffered emotional distress as a result of the funds being so unjustly retained.

77. Defendant intentionally hurt Plaintiff Davis by unjustly retaining the funds.

WHEREFORE, Plaintiff prays for judgement in her favor in an amount determined to be fair and reasonable following trial of the matter, for her attorney's fees, and for such other relief as may be just and proper under the circumstances.

Count 2: Fraudulent Misrepresentation

COMES NOW Plaintiff, and for her claim of fraudulent misrepresentation, states and alleges as follows:

78. Plaintiff adopts and restates all previous paragraphs to this Petition as if fully set forth herein.

79. Defendant Dougherty, throughout the course of his relationship with Plaintiff Davis and culminating in the May '23 statements, represented to Plaintiff Davis that he would not take money from her credit or cash accounts without her prior approval.

80. Defendant Dougherty repeated reaffirmance of this promise was material to Plaintiff Davis continuing to allow access to Davis' funds.

81. Dougherty intended that Davis rely on the affirmations in continuing to lend the money.

82. Plaintiff Davis was ignorant at all times of the falsity of the representation.

83. Plaintiff Davis relied upon Dougherty's representation when continuing to allow such access.

84. Plaintiff Davis reliance upon the representation was reasonable in that Dougherty continued and repeatedly made assurances that the representation was to be relied upon.

85. As a result of Plaintiffs reliance on the above described representations, Plaintiff Davis has suffered serious damages. Plaintiff Davis has lost significant amounts of money, in addition to sustaining attorney's fees and costs.

86. Defendant Dougherty intended to harm Plaintiff Davis.

WHEREFORE Plaintiff Davis prays that the Court grant judgement in her favor, and award damages after a trial assessing the same, for her attorneys costs and fees incurred, and for such further relief as may be just and proper under the circumstances.

Counts 3-10: Assault and Battery

COMES NOW Plaintiff, Amber Davis, by and through her undersigned attorney, and for her claims of assault and battery, states to the Court as follows:

87. Plaintiff adopts and restates all previous paragraphs to this Petition as if fully set forth herein.

88. Defendant Dougherty intended to cause harmful or offensive conduct, or apprehension thereof, on at least the following occasions:

- a. December 2018: Defendant Dougherty violently threw items at Plaintiff Davis; Defendant Dougherty screamed at Plaintiff Davis; Defendant Dougherty shoved Plaintiff Davis.
- b. February 2020: Defendant Dougherty pushed Plaintiff Davis in the chest a few weeks after Davis had major abdominal surgery.
- c. July 2020: Defendant Dougherty wielded a gun at Plaintiff Davis, directing her to kill him while he killed her; Defendant Dougherty brandished said weapon at Plaintiff Davis, shooting randomly off of his deck.
- d. July 2020: Defendant Dougherty attacked Plaintiff Davis,

twice throwing her down in the parking lot, causing serious injury.

- e. August 2020: Defendant Dougherty grabbed Plaintiff Davis by the head, screaming at her that he wanted to put his fist through her face and so badly wanted to hurt her.
- f. August 2022: Defendant Dougherty shook Plaintiff Davis, hitting her head on the wall, and then threw her on the sofa, continuing to violently shake and scream at her while kneeling over her.
- g. September 2022: Defendant Dougherty attempted to prevent Plaintiff from leaving by first standing in front of the door. When he allowed her to leave, Dougherty slammed the door on her hand, leaving Davis' fingertips on the other side of the door. Dougherty then locked the deadbolt. The flesh was torn open, exposing tendons and underlying bone. One of the injured fingers was fractured.
- h. January 2023: Defendant Dougherty attacked Plaintiff Davis when she came to his condo, charging her and throwing her against a wall, causing her to fall to the ground.

89. All of the above described assaults and/or batteries were intended to harm Plaintiff Davis.

90. As a result of the above described assaults, Plaintiff Davis has suffered serious injury.

Plaintiff Davis has suffered emotional distress and lost wages. Plaintiff Davis has suffered diminished earning capacity and medical damages in the past, and will suffer the same in the future.

WHEREFORE Plaintiff Davis prays that the Court grant judgement in her favor, and award damages after a trial assessing the same, for her attorneys' costs and fees incurred, and for such further relief as may be just and proper under the circumstances.

Count 11: Negligent Infliction of Emotional Distress

COMES NOW Plaintiff Amber Davis, by and through her undersigned attorney, and for her claim of negligent infliction of emotional distress, offered in the hypothetical and alternative in accordance of the rules, against Defendant Dougherty states as follows:

91. Plaintiff adopts and restates all previous paragraphs to this Petition as if fully set forth herein.

92. Defendant Dougherty had a legal duty to protect the Plaintiff from injury.

93. Defendant Dougherty breached that duty.

94. Defendant Dougherty acted negligently in the following manners and particulars and such further acts to be revealed in the course of discovery:

- a. June of '16: Defendant Dougherty became violently angry and aggressive in front of Plaintiff Davis for the first time in their relationship, screaming at Plaintiff Davis over his revoked license until she complied with his demand to provide him rides. This continued onward until 2024.
- b. Defendant Dougherty's related to Plaintiff Davis that he had a violent boost in an AT&T store and attacked a customer after becoming enraged with them.
- c. September of '16: Defendant Dougherty threatened that Plaintiff Davis that he would physically hurt her and her mother.

- d. December '18: Defendant Dougherty kept Plaintiff Davis awake for 36 hours straight and became angry after Plaintiff Davis refused to spend further time with him.
- e. Defendant Dougherty continued to disrupt Plaintiff Davis' sleep onward while she was working 3 different jobs for approximately 100 hours a week.
- f. October '19: Defendant Dougherty convinced Plaintiff Davis to come paint his house even though she was supposed to be on bedrest after her surgery.
- g. June '20: After getting intimate with Plaintiff Davis, Defendant Dougherty told her that right before coming to her, he had been with another woman. He threatened to go back on dating apps if Plaintiff Davis did not comply with his demands.
- h. August '20: Defendant Dougherty continuously threatened to kill himself when things would not go his way.
- i. Defendant Dougherty showed Plaintiff Davis his gun collection and offered Plaintiff Davis a gun instructing that both of them should commit suicide together.
- j. Defendant Dougherty continuously spent large amounts of money on personal items while using Plaintiff Davis' money, especially during the time he would become angry with her.
- k. '20: Defendant Dougherty expressed that he and Plaintiff Davis would not get back together, a desire to kill himself, and proceeded to tell

Plaintiff Davis about a woman whom he would have a sexual intercourse with the same night that Plaintiff Davis was spending time with her family and did not bring cake to Defendant Dougherty.

- l. Defendant Dougherty continued to send Plaintiff Davis pictures of different women he alluded to having sexual intercourse with for as long as Plaintiff Davis refused to comply with his demands.
- m. Defendant Dougherty promised to cheat on Plaintiff Davis.
- n. Defendant Dougherty promised to kill Plaintiff Davis' mother.
- o. Defendant Dougherty disregarded Plaintiff Davis' health condition during sexual intercourse. Defendant Dougherty would not let Plaintiff Davis free until he reached his "satisfaction", often leaving Plaintiff Davis in tears, suffering through excruciating pain in her abdominal and pelvic area. Often, Defendant Dougherty would get angry at Plaintiff Davis during their intimacy.
- p. Defendant Dougherty openly shared violent fantasies of killing people and police officers with Davis.
- q. December '22: Defendant Dougherty called Plaintiff Davis' "retarded" for not being able to write him a check before a couple messages after he told her he "loved her".
- r. Defendant Dougherty called Plaintiff Davis on the phone, told her he is going to kill himself, and proceeded to ignore her subsequent calls and messages.
- s. Defendant Dougherty used the "silent treatment" continuously throughout

his relationship with Plaintiff Davis to punish her for refusing to comply with his demands.

- t. Defendant Dougherty continuously reminded Plaintiff Davis that she was not “submissive” enough and that her current personality was unattractive.
- u. Defendant Dougherty forced Plaintiff Davis to watch videos of reported violence and abuse toward women.
- v. Defendant Dougherty often forgot Davis’ birthday, and on one such instance, he asked Davis to come cook him dinner.
- w. Defendant Dougherty fantasized about killing Plaintiff Davis’ mother even though Plaintiff Davis’ mother has passed in December of 2022.
- x. Defendant Dougherty told Plaintiff Davis that she was embarrassing him when Plaintiff Davis hurried to find Defendant Dougherty at a bar after he said he would “blow his head off”.
- y. Defendant Dougherty purchased two sets of blue eye contacts for Plaintiff Davis to wear because he hated her eye color. He also contacted Plaintiff Davis’ hairdresser, demanding to get her hair dyed red so that she could look the way she wanted.
- z. Defendant Dougherty berated and repeatedly blamed Plaintiff Davis for his arrest for domestic assault and Plaintiff Davis’ care about his well-being.
- aa. Defendant Dougherty blamed Plaintiff Davis for Defendant’s inability to have a job as a result of the aforementioned arrest.
- bb. Defendant Dougherty blamed being in a relationship with Plaintiff Davis as

the source of his inability to hold assets and pay Plaintiff Davis back over \$100,000 of debt.

cc. Defendant Dougherty in a conversation with his friend John, memorialized in a voicemail Plaintiff Davis listened to, hypothesized about her ability to kidnap and kill Defendant Dougherty with a sedative, calling her a “nutcase” and a “little girl”, and laughing at her having a panic attack and being confused.

dd. January '23: Defendant Dougherty berated Plaintiff Davis by text messages over completion of documents, calling her a “stupid bitch” and “cry baby” while Plaintiff Davis repeatedly asked Defendant Dougherty to stop messaging her.

ee. Defendant Dougherty threatened to “hang [himself] in [his] cell” following his jail stay in Hillsboro.

ff. February '23: Defendant Dougherty became extremely furious over text, stating that he “hated [his] life” and that he was going to “have a nervous breakdown and cry” when Plaintiff Davis told him she could not spend time with him because she had a family medical emergency.

gg. Defendant Dougherty made a myriad of derogatory remarks through text messages at Plaintiff Davis, stating: “Quit being demanding”; “You’re being controlling”; “Quit being combative that is so unattractive”; “You didn’t want to come today anyway you fucking cunt”; “You’re stupid fucking annoying bitch”; “You need mood stabilizers”; “Fuck you you stupid cunt”; “I’m glad your mother is rotting in hell”; “No believe me that bitch is in hell”, all the

while demonstrating extreme aggressive caused by Plaintiff Davis asking Defendant Dougherty to apologize after the first rude remark.

hh. Defendant Dougherty blamed Plaintiff Davis for not being able to afford food for him, announcing their official break up and that he would be “starving for the next 2 days” if she did not purchase him sushi. After supposedly breaking up with her, Defendant Dougherty proceeded to ignore all of Plaintiff Davis’ worried texts until she told him when she would pick him up from jail, stating further that he “hated her” and that she “would never see [him] again”.

ii. April '23: Defendant Dougherty completely ignored Plaintiff Davis’ text message that describe how much she was hurting over their broken marriage plans and relationship.

jj. May '23: Defendant Dougherty told Plaintiff Davis that he “Can’t take it right now...I’m going to take a gun to my fucking head don’t you understand that you fucking idiot” after Plaintiff Davis stated that it hurt her that Defendant Dougherty hung up on her when she was crying and needed 5 minutes of kindness.

kk. Defendant Dougherty had multiple affairs with women while in a relationship with Plaintiff Davis, planning a wedding, and all the while reporting these instances to her.

ll. Plaintiff Davis found out that Defendant Dougherty cheated on her by receiving a positive HPV test during her annual checkup. When confronted with this, Defendant Dougherty told Plaintiff Davis: “Aren’t you worried

cause I am going to get throat cancer?”

95. Defendant Dougherty's actions were both the actual and proximate cause of Plaintiff's injury.

96. Plaintiff Davis was diagnosed with PTSD following Defendant Dougherty's negligent conduct toward Plaintiff Davis.

97. Defendant Dougherty should have realized that his conduct involved an unreasonable risk of causing emotional distress.

98. Defendant Dougherty's actions created an unreasonable risk of causing emotional distress and that the distress was medically diagnosable and significant.

99. Plaintiff Davis was in the zone of danger and was placed in reasonable fear of physical injury due to Defendant Dougherty's actions.

100. Plaintiff Davis suffered severe emotional distress and mental injury that is medically diagnosable and of sufficient severity to be medically sufficient.

101. Plaintiff Davis suffered additional loss of wages, medical bills, and pain and suffering damages.

WHEREFORE Plaintiff prays the Court enter judgement in her favor, directing the above-described property be taken by her, and attaching a writ to such property, and authorizing Plaintiff to reenter and retake such property under protection of law, and for such other relief as may be just and proper in the circumstances.

Respectfully Submitted,

OTT LAW FIRM

A handwritten signature in black ink, appearing to read "Joseph A. Ott", is written over a horizontal line.

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State of Missouri)
) ss.
County of St. Louis County)

Amber Davis, Petitioner in the in the above-entitled cause, being of full age and being first duly sworn upon her oath, states that she has read and understands the foregoing instrument; and that the facts contained therein are true to the best knowledge and belief of this affiant and she has executed the same as her true and correct, free act and deed.

Robert A. Davis
Petitioner Name

Charles H. Lee
Petitioner Signature

Subscribed and sworn to before me this 17 day of October

My Commission Expires: 08-08-2028.

Notary Public

